

REMARKS

Entry of the above-noted amendments, reconsideration of the Application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1-19, 24-27, 30, and 32-34 are amended. These amendments to the claims constitute a bona fide attempt by Applicant to advance prosecution of the Application and obtain allowance of the pending claims, and are in no way meant to acquiesce to the substance of the rejections. Support for the amendments can be found throughout the Application (e.g., ¶ 18-20 and 22-23), figure, and claims (e.g., claims 13 and 24) and thus, no new matter has been added. Claims 1-28, 30, and 32-34 are pending.

Drawing Objection:

The drawings are objected to under 37 C.F.R. § 1.83(a). Without acquiescing in the objection, Applicant respectfully submits the objection is moot in view of the cancellation herein of the cited recitation.

Withdrawal of the objection to the drawings is therefore respectfully requested.

Claim Objections

Claims 2 and 12 are objected to because of informalities. With respect to claim 2, the text highlighted by the Examiner has been amended to recite “particular” before “heat exchanger component”. With respect to claim 12, Applicant respectfully submits the objection is moot in view of the cancellation herein of the cited recitation.

Withdrawal of the claim objections is therefore respectfully requested.

Claim Rejections - 35 U.S.C. § 112, ¶ 2:

Claims 33-34 are rejected under 35 U.S.C. §112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Without acquiescing in the rejection, Applicant respectfully submits the rejection is moot in view of the cancellation herein of the cited recitation.

Withdrawal of the § 112, ¶ 2, rejections is therefore respectfully requested.

References Cited:

Applicant has reviewed the prosecution history in connection with the names for the references the Office Action applied in formulating the claim rejections, and could not locate a specific number for the following three applied references, nor a listing of their official

consideration. Applicant is presenting herein a bona fide attempt to review the correct references. “Kociecki” is understood to be Kociecki USP 5,940,288. “Tokuhara et al.” is understood to be Tokuhara et al. USP 6,549,414. “Aoki et al.” is understood to be Aoki et al. USP 6,967,842.

As part of a confirmation these are the correct references, an indication of official consideration of the references listed by the Examiner is respectfully requested.

Claim Rejections - 35 U.S.C. §§ 102 and 103:

Claims 1, 12-17, 25, 30, and 32 are rejected under 35 U.S.C. §102(b) as being anticipated by Kociecki USP 5,940,288. Claims 1, 12, 14-17, and 25 are rejected under 35 U.S.C. §102(b) as being anticipated by Tokuhara et al. USP 6,549,414. Claims 2-7, 13, 18-24, and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tokuhara et al. ‘414 in view of Owens et al. USP 6,804,116. Claims 8-11, 26-28, and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tokuhara et al. ‘414 in view of Owens et al. ‘116 as applied to claims 2-7, 13, 18-24, and 30 above, and further in view of Aoki et al. USP 6,967,842. These rejections are respectfully, but most strenuously, traversed.

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since the Examiner’s citations to each of the applied references is missing at least one element of each of Applicant’s independent claims, Applicant respectfully submits that the claimed invention is not anticipated by the Examiner’s citations to the applied references, as further discussed below.

Applicant respectfully submits that the Examiner’s citations to the applied references, with or without modification or combination, assuming, *arguendo*, that the modification or combination of the Examiner’s citations to the applied references is proper, do not teach or suggest one or more elements of the claimed invention, as further discussed below. In discussing the Examiner’s citations to the applied references herein, Applicant does not acquiesce in the modification or combination of the Examiner’s citations to the applied references.

For explanatory purposes, Applicant discusses herein one or more differences between the Examiner’s citations to the applied references and the claimed invention with reference to one or more parts of the applied references. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the Examiner’s citations to the applied references correspond to the claimed invention.

Applicant respectfully submits that the Examiner's citations to the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the Examiner's citations to the applied references fails to set forth a sustainable basis that the references teach or suggest, for example, a rack-mounted computer chassis that comprises a chassis major depth dimension at least in major part operably extendible into a rack and chassis minor vertical and horizontal dimensions operably fittable into the rack, wherein the one or more heat exchanger components are coupled with one of a front or rear surface of the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions, of the chassis minor vertical and horizontal dimensions, of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

Kociecki '288 discloses the exterior surface of platform 12 where there is mounted a fin sheet metal folded fin heat exchanger array represented generally at 14. *Kociecki* '288, col. 4, lns. 53-55. Simply missing from the Examiner's citations to Kociecki '288 is any mention of a rack-mounted computer chassis that comprises a chassis major depth dimension at least in major part operably extendible into a rack and chassis minor vertical and horizontal dimensions operably fittable into the rack, wherein the one or more heat exchanger components are coupled with one of a front or rear surface of the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions, of the chassis minor vertical and horizontal dimensions, of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

So, the Examiner's citation to Kociecki '288 fails to satisfy at least one of the limitations recited in Applicant's independent claim 1.

Tokuhara et al. '414 discloses the casing 32 that comprises a top cover 32a, bottom cover 32b, traverse panel 32c, and a rear panel 32d that is integrally formed with heat radiation fins 32e. *Tokuhara et al.* '414, col. 3, lns. 5-7. Simply missing from the Examiner's citations to Tokuhara et al. '414 is any mention of a rack-mounted computer chassis that comprises a chassis major depth dimension at least in major part operably extendible into a rack and chassis minor vertical and horizontal dimensions operably fittable into the rack, wherein the one or more heat exchanger components are coupled with one of a front or rear surface of the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or

more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions, of the chassis minor vertical and horizontal dimensions, of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

So, the Examiner's citation to Tokuhara et al. '414 fails to satisfy at least one of the limitations recited in Applicant's independent claim 1.

The shortcomings of the Examiner's citation to Tokuhara et al. '414 relative to certain elements of the claimed invention have been discussed above. The Examiner proposes a combination of the citation to Tokuhara et al. '414 with a citation to Owens et al. '116. However, the Examiner's citation to Owens et al. '116 does not overcome the deficiency of the Examiner's citation to Tokuhara et al. '414. Applicant respectfully submits that the proposed combination of the Examiner's citation to Tokuhara et al. '414 with the Examiner's citation to Owens et al. '116 fails to provide the required configuration, assuming, *arguendo*, that the combination of the Examiner's citation to Tokuhara et al. '414 with the Examiner's citation to Owens et al. '116 is proper.

Owens et al. '116 discloses:

Turning now to FIG. 11, there are shown parts of a WDM multiplexer module 80 comprising a chassis member 82 and a heat sink structure 84. The heat sink structure 84 comprises a plurality of fins e.g. 86 mounted on to three water based heat pipes 88, 90 and 92, extending through slots 94, 96, 98 respectively of a side wall portion 100 of the chassis member 82. The heat sink structure 84 further comprises four protective mounting rods e.g. 102 disposed in a manner such as to relief the heat pipes 88, 90, 92 from excessive load bearing as a result of a force being applied to one or more of the fins 86.

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A local thermal environment structure including, in the example embodiment a laser housing 110 is mounted inside of the WDM multiplexer module 80 by way of a vertically mounted circuit board 112. Four semiconductor laser elements 114, 116, 118, and 120 are mounted in a manner such that their respective junction regions are located substantially inside or immediately adjacent to a thermally conductive base member 122 inserted in the laser housing 110, forming, in the example embodiment, the local thermal environment structure. *Owens et al. '116*, col. 9, lns. 11-20 and 28-37.

Simply missing from the Examiner's citations to Owens et al. '116 is any mention of a rack-mounted computer chassis that comprises a chassis major depth dimension at least in major part operably extendible into a rack and chassis minor vertical and horizontal dimensions operably fittable into the rack, wherein the one or more heat exchanger components are coupled with one of a front or rear surface of the rack-mounted computer chassis, wherein vertical and horizontal

dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions, of the chassis minor vertical and horizontal dimensions, of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

So, the Examiner's citation to Owens et al. '116 fails to satisfy at least one of the limitations recited in Applicant's independent claim 1.

The shortcomings of the Examiner's citations to Tokuhara et al. '414 and Owens et al. '116 relative to certain elements of the claimed invention have been discussed above. The Examiner proposes a combination of the citations to Tokuhara et al. '414 and Owens et al. '116 with a citation to Aoki et al. '842. However, the Examiner's citation to Aoki et al. '842 does not overcome the deficiency of the Examiner's citations to Tokuhara et al. '414 and Owens et al. '116. Applicant respectfully submits that the proposed combination of the Examiner's citations to Tokuhara et al. '414 and Owens et al. '116 with the Examiner's citation to Aoki et al. '842 fails to provide the required configuration, assuming, *arguendo*, that the combination of the Examiner's citations to Tokuhara et al. '414 and Owens et al. '116 with the Examiner's citation to Aoki et al. '842 is proper.

Aoki et al. '842 discloses:

The server 1 contains and comprises the circuit board 5, a floppy disk drive 31, a CD-ROM drive 32, a supply circuit (power) 9, a connector (I/O) 8, and other electronic components, a plate-fin type heat exchanger 11, a cross flow fan 14, a brine circulation pump 15, a reserve tank 26 for storing brine, and a brine cooling unit 10 comprising cold plates 16 mounted in such a way as to enable a heat transfer from integrated circuit elements 6 and for cooling the integrated circuit elements 6, within a thin rectangular case 3, for example, having a height of 45 mm, a width of 450 mm, and a depth of 530 mm. The case 3 has a front face 3A, a bottom face 3B, a rear face 3C, right and left side faces 3D and 3D, with a top face covered with a detachable top cover 4.

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An outlet 13A for the brine in the pipe 13 of the heat exchanger 11 is arranged at the upper end on the left side of the front as facing toward the heat exchanger 11. A pipe 46 connected to the outlet 13A is connected to an inlet of the reserve tank 26. A pipe 47 connected from an outlet of the reserve tank 26 is connected to a suction opening of the pump 15. A discharge opening of the pump 15 is connected to an inlet of an aluminum pipe 23 of the cold plates 16. An outlet of the pipe 23 is connected to a brine inlet 13B of the pipe 13 for the heat exchanger 11 via a pipe 48, thus forming a ring brine circulation path of the brine cooling unit 10. More specifically, the reserve tank 26 and the pump 15 are arranged in order in a brine stream flowing from the outlet 13A of the heat exchanger 11 to the cold plates 16. Furthermore, the brine is enclosed in the ring brine circulation path. *Aoki et al. '842*, col. 4, lns. 45-57, and col. 6, lns. 51-65.

Simply missing from the Examiner's citations to Aoki et al. '842 is any mention of a rack-mounted computer chassis that comprises a chassis major depth dimension at least in major part operably extendible into a rack and chassis minor vertical and horizontal dimensions operably fittable into the rack, wherein the one or more heat exchanger components are coupled with one of a front or rear surface of the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions, of the chassis minor vertical and horizontal dimensions, of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

So, the Examiner's citation to Aoki et al. '842 fails to satisfy at least one of the limitations recited in Applicant's independent claim 1.

The Examiner's citations Kociecki '288, Tokuhara et al. '414, Owens et al. '116, and Aoki et al. '842 all fail to meet at least one of Applicant's claimed features. For example, there is no teaching or suggestion in the Examiner's citations to Kociecki '288, Tokuhara et al. '414, Owens et al. '116, and Aoki et al. '842 of a rack-mounted computer chassis that comprises a chassis major depth dimension at least in major part operably extendible into a rack and chassis minor vertical and horizontal dimensions operably fittable into the rack, wherein the one or more heat exchanger components are coupled with one of a front or rear surface of the rack-mounted computer chassis, wherein vertical and horizontal dimensions of one or more respective major parts of the one or more heat exchanger components are substantially equal to and coupled in alignment with vertical and horizontal dimensions, of the chassis minor vertical and horizontal dimensions, of the one of the front or rear surface of the rack-mounted computer chassis, as recited in Applicant's independent claim 1.

Furthermore, the Examiner does not allege that the art of record provides any teaching, suggestion, or incentive for modifying the citations to Kociecki '288, Tokuhara et al. '414, Owens et al. '116, and/or Aoki et al. '842 to provide the claimed configuration.

For at least the reasons presented above with reference to claim 1, claims 1, 18, and 25 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for at least the same reasons as independent claims 1, 18, and 25, as well as for their own additional characterizations.

Withdrawal of the §§ 102 and 103 rejections is therefore respectfully requested.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-28, 30, and 32-34.

Applicant hereby authorizes charging of Deposit Account No. 08-2025 for any additional fees associated with entering the aforementioned claims.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

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Dated: November 14, 2006
Attorney Docket No.: 200311632-1

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